

Notice of Allowability

Application No.

09/883,516

Examiner

Steven S. Paik

Applicant(s)

LEVINE ET AL.

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Appeal Brief filed 1/2/04.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ The drawings filed on 18 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 03/23/2004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Response to Amendment

1. Applicant's request for reversal of the Examiner's rejection of the claims is persuasive and, therefore, the finality of the last office action is withdrawn. For the purpose of a compact prosecution of the application, a telephone interview was conducted and the applicant authorized the following Examiner's Amendment.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert L. Maier on March 23, 2004.

The application has been amended as follows:

IN THE CLAIMS

1. (Previously Amended) In a point of sale system for acquiring bar code data relating to a transaction, wherein a first bar code scanner is arranged to scan bar codes and provide data relating to scanned bar codes to a processor, the improvement comprising a second portable bar code scanner, said second scanner including a slave radio module for acting as a slave unit using a master-slave data communication protocol and said second scanner including an identifying bar code individually identifying said second scanner, and wherein there is provided a master radio module associated with said point of sale system and wherein said master radio module is

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arranged to act as a master for communication with said slave radio module in response to reading of said identifying bar code on said second scanner by said first bar code scanner.

2. (Original) The improvement specified in claim 1 wherein said identifying bar code is representative of a data communication address for said slave radio.

3. (Original) The improvement specified in claim 1 wherein said processor includes a memory having a data communication address for said slave radio associated with data representing said identifying bar code.

4. (Original) The improvement specified in claim 1 wherein said master radio module is arranged to discontinue acting as a master for communication with said slave radio module in response to a further reading of said identifying bar code.

5. (Currently Amended) A method for establishing a master/slave data communication link between a master device having a first bar code scanner and a slave device comprising a portable bar code scanner, comprising the steps of:

providing ~~a machine readable identification device on a slave device;~~ an identifying bar code on the exterior of said portable bar code scanner, said identification device including identification data individually identifying said slave device;

reading said identification device with a reader, other than said slave device, associated with said master unit to obtain said identification data;

determining a slave address of said slave device from said identification data; and operating said master unit to associate with said slave device using said slave address.

6. (Original) A method for reading bar codes on items to be purchased, comprising:

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providing a portable bar code reader having a slave radio module having a slave address for providing data communication and an identifying bar code on said reader;

reading said identifying bar code with a second bar code reader associated with a master radio module and a data processor to obtain identifying data;

determining said slave address using said identifying data;

operating said master unit to associate with said slave unit; and

using selectively said portable bar code reader and said second bar code reader to read bar codes and provide data to said processor.

7. (Currently Amended) ~~A portable bar code scanner comprising a housing enclosing a slave radio data transceiver having a network address and an optical bar code reader and a bar code on the exterior of said housing, said barcode being associated with said network address.~~ The method of claim 5, further comprising the step of providing the identifying bar code on the exterior of said portable bar code scanner being associated with a network address of the slave device.

8. (Currently Amended) ~~A terminal having a processor, a bar code reader, a master radio module for providing data communications and a program for operating said processor, said program being arranged to operate said bar code reader and provide data to said processor, operate said processor to recognize said data as data identifying a slave unit and operate said master radio module to conduct data communications with said slave unit.~~ The method of claim 5, further comprising the step of providing a terminal including a processor, a master radio module for providing data communications and a program for operating said processor, said program being arranged to operate said first barcode scanner, provide data to said processor,

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operate said processor to recognize said data as data identifying said slave device, and operate said master radio module to conduct data communication with said slave device.

Allowable Subject Matter

3. Claims 1-8 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of records (O'Hagan et al. (USPN 6,424,830); Roslak (USPN 5,8256,002)) taken alone or in combination of other references, do not teach or fairly suggest the claimed device and method comprising, among other things, a master radio module associated with a point-of-sale system to act as a master for communication with a slave radio module in response to reading an identifying bar code on a second scanner including a slave radio module acting as a slave unit. Roslak discloses a portable bar code scanner that collects data by scanning and storing bar code information. The portable bar code scanner communicates with a central processing system. However, the portable scanner of Roslak lacks an identifying bar code on the exterior of the portable scanner that is associated with a network address of the slave unit. Accordingly, one of ordinary skill in the art would not have been motivated to modify teachings of prior art to meet the claimed limitations as set forth in the present claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

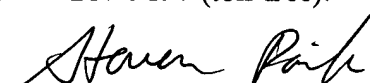
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Mon - Fri (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Steven S. Paik
Examiner
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